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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
09 202,549	10/12/1999	PHILIP N. TSICHLIS	FCUC96-11	3080

75 USC 111(a) (107)(A) (107)(B)

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EXAMINER
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DAVIS, KATHARINE F

ART UNIT	PAPER NUMBER
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1636

DATE MAILED: 07/16/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/202549	10-12-1999	TSICHLIS et al.	FCCC96-11
EXAMINER			
K. Davis			
ART UNIT	PAPER		

1636 22

DATE MAILED:

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Commissioner of Patents and Trademarks

This Office Action is in response to the Amendment filed on April 22, 2002. It is noted that the Amendment (including all attachments) filed on April 22, 2002 has been subjected to the US Postal Service irradiation process, please see attached Appendix B.

The amendment filed on April 22, 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Corrections to Drawings are omitted. See 37 CFR 1.111 and 37 CFR 1.85(a). Applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). Attached to this communication is a copy of the Attachment for PTO-948 form which was part of the previous Office Action mailed on January 15, 2002. The Attachment for PTO-948 indicates that Applicant is required to submit the drawing corrections within the time period set in the attached Office communication (see highlighted section). According to MPEP 608.02(b) a request to hold objections to the drawings in abeyance will not be considered a bona fide attempt to advance the application to final action. See 37 CFR 1.135(c).

The computer readable copy of the Sequence Listing filed with the Amendment of April 22, 2002 has been damaged (see attached copy of CRF Problem Report processed May 2, 2002). The examiner spoke with applicants' representatives (William J. McNichol and Nanda P.B.A. Kumar) on June 28, 2002 to request a substitute Sequence Listing disk and a substitute paper copy of Table II with the SEQ ID NOS. However it appears applicants' representatives misunderstood the examiner's request and filed on July 3, 2002 a substitute paper copy of Table II and a disk containing Table II (see attached copy of CRF Problem Report processed July 10, 2002). Applicant is now required to submit a Sequence Listing disk that is identical to the paper copy of the Sequence Listing filed on April 22, 2002 provided that this paper copy of the Sequence Listing contains SEQ ID NOS for the sequences listed in Table II. If the paper copy of the Sequence Listing filed on April 22, 2002 does not contain SEQ ID NOS for the sequences listed in Table II then Applicant must provide a substitute paper copy and a substitute computer readable copy of the Sequence Listing that contains SEQ ID NOS for the sequences listed in Table II and a statement that the content of the substitute paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katharine F. Davis whose telephone number is (703) 605-1195 with direct desktop RightFax (703) 746-5199. The examiner can normally be reached on Monday-Friday (8:30am-5:00pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel can be reached on (703) 305-1998. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 305-1935 for After Final communications. Any inquiry of a general nature or any inquiry concerning the formalities of this application should be directed to Patent Analyst Tracey Johnson whose telephone number is (703) 305-2982.

*Remy Yucel*

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